

12-31 -01

EXPRESS MAIL CERTIFICATE EL 838 250 968 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: SCHMIDT, Michael

Group Art Unit:

Serial No.

Examiner:

Filed: Herein

Atty. Dkt. No: D4558-US

For: DIGITAL FM RADIO SYSTEM

To: Commissioner of Patents
Box Application and Fee
Washington, D.C. 20231

Fm:



24222

PATENT TRADEMARK OFFICE

CERTIFICATE OF MAILING 37 CFR 1.10: I certify that this correspondence is being deposited on the below date with the U.S. Postal Service with sufficient postage as EXPRESS MAIL POST OFFICE TO ADDRESSEE addressed to: Assistant Commissioner of Patents, Washington, DC 20231.

Date: 12-21-01 [X] Andrew P. Cernota [] Vernon C. Maine, Reg. No. 37,389 or [] Scott J. Asmus, Reg. No. 42,269

Dear Honorable Commissioner:

LETTER OF TRANSMITTAL

Submitted herewith is a application for United States patent consisting of 1 pages Patent Application Bibliographic Data Sheet, 26 pages of cover sheet, specification and claims, 7 sheets of drawings, 1 pages of declaration and power of attorney, --- sheets of form 1619 recordation form cover, --- page assignment, 2 page information disclosure statement, 1 pages form 1449, and 19 specimens of prior art.

- [] (37 CFR 1.9(f) & 1.27(c)) Small Entity status applies.
[X] (35 U.S.C. 122(b)(2)(B)(i)) PTO form PTO/SB/35 re: Publication enclosed
[] PCT application being filed concurrently

This application claims priority to US Application Serial Number 60/257,498 filed on 12/21/2000.

The invention was not made by an agency of the United States Government nor under a contract with an agency of the United States Government.

12/21/01



1044 U.S. PTO

10/032235



12/21/01

1044 U.S. PTO

[illegible]

<input checked="" type="checkbox"/>	37CFR1.16(a) Basic filing fee - Utility	\$ 740.00
<input type="checkbox"/>	37CFR1.16(b) Independent claims in excess of three - ____x \$84.00 ea.	
<input type="checkbox"/>	37CFR1.16(c) Claims in excess of twenty - ____x \$18.00 ea.	
<input type="checkbox"/>	37CFR1.21(h) Recordation of Assignment	\$ _____
	TOTAL DUE:	\$740.00

Respectfully submitted,



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**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

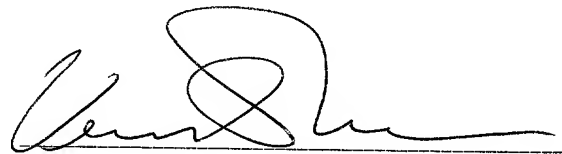
First Named Inventor	SCHMIDT, Michael
Title	DIGITAL FM RADIO SYSTEM
Atty Docket Number	D4558-US

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

21 December 2001

Date



Signature
VERNON C. MAINE # 37, 589
Scott J. Asmus, Reg. No. 42,269

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Be it known that, Michael Schmidt, a citizen of the United States having a residence address at 121 North Pepperell Road, Hollis, NH, 03049 has invented a new and useful method and apparatus, a DIGITAL FM RADIO SYSTEM, for which the following is a specification.